

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 4100 of 2005

Between:

P. Sanjivarao, S/o. Chinnaiah,
Aged 40 years, Conductor, APSRTC,

(under removal) R/o. Narasapur,

Medak District.

..... PETITIONER

AND

1. The Depot Manager, APSRTC, Dubbaka Medak District.
2. The Divisional Manager, APSRTC, Sangareddy Division,
Sangareddy at Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent as illegal, arbitrary and unconstitutional, violative of Articles 14 and 21 of the Constitution of India and set aside the impugned proceedings No. M1/(02)/2005-DBK dt. 22-2-2005 and direct the Respondents to continue the petitioner as Conductor with all consequential benefits forthwith.

Counsel for the Petitioner: MR.VADDEMANI SRINIVAS

**Counsel for Respondent Nos.1 and 2: MR.V.T.M.PRASAD, STANDING
COUNSEL FOR APSRTC**

The Court, at the stage of admission, made the following:

ORDER:

This writ petition is filed seeking mandamus to declare the action of the respondents in removing the petitioner from service, through proceedings No. M1/(02)/2005-DBK, dated 22-02-2005, as illegal and arbitrary and also direct the respondents to continue the petitioner as Conductor with all consequential benefits forthwith, by setting aside the impugned proceedings.

Admittedly, the petitioner filed an appeal before the second respondent, which is pending. The petitioner cannot be permitted to prosecute with two parallel proceedings in respect of the same cause of action.

Therefore, the writ petition is devoid of merit and is accordingly dismissed. There shall be no order as to costs.

03-03-2005.

Lrkm.

To

1. The Depot Manager, APSRTC, Dubbaka Medak District.
2. The Divisional Manager, APSRTC, Sangareddy Division,
Sangareddy at Medak District.
3. 2 CD copies.

*Form-NIC-OGS/WP{**RLD**}*